

ZONING AND BUILDING AGENDA

NOVEMBER 18, 2009

THE ZONING BOARD OF APPEALS RECOMMENDATIONS

- 301178 DOCKET #8530 – ADC MERRIMAC, LLC, Owner, 305 Ramona Avenue, Elgin, Illinois 60120. Application (No. SU-09-09; Z09034). Submitted by Paul Stewart, NuLife Consulting, 225 West Washington Boulevard, Suite 2200, Chicago, Illinois 60606. Seeking a SPECIAL USE, in the I-3 Intensive Industrial District for a salvage material yard in Section 8 of Stickney Township. Parcel consists of approximately 3.95 acres located on the west side of Merrimac Avenue south of the Central Northern Railroad Glenn Yard in Stickney Township, County Board District #11. Intended use: For a salvage material yard. **Recommendation: That the application be granted with conditions, the petitioner will patrol the surrounding roadways leading into the subject property to ensure that no materials being transported to the facility for sorting and recycling have fallen onto the roadway for ingress and egress, not only by the petitioner but for use by the surrounding property owners as well.**

THE ZONING BOARD OF APPEALS RECOMMENDATIONS FOR VARIATIONS

- 303623 DOCKET #8586 – D. SWINGLE, Owner, Application (No. V-09-72): Variation to increase height of fence in front yard from 3 feet to 6 feet for vinyl fence in the R-4 Single Family Residence District. The subject property consists of approximately 0.25 of an acre, located on the northwest corner of 167th Street and Cedar Avenue in Orland Township, County Board District #17. **Recommendation: That the application be granted.**

Conditions: None

Objectors: None

- 303624 DOCKET #8587 – T. & J. HOLT, Owners, Application (No. V-09-73): Variation to reduce lot area from 20,000 square feet to 16,800 square feet (existing); reduce left side yard setback from 15 feet to 10 feet (existing); reduce right side yard setback from 15 feet to 13 feet (existing); and on accessory shed reduce both side yard setbacks from 10 feet to 5 feet (existing) for roof alterations and remodeling in the R-4 Single Family Residence District. The subject property consists of approximately 0.38 of an acre, located on the south side of 59th Place, approximately 242 feet east of Peck Avenue in Lyons Township, County Board District #16. **Recommendation: That the application be granted.**

Conditions: None

Objectors: None

- 303625 DOCKET #8589 – M. & S. SCHUSTERIC, Owners, Application (No. V-09-75): Variation to reduce lot area from 40,000 square feet to 28,300 square feet (existing); and reduce lot width from 150 feet to 100 feet (existing) to construct two detached garages in the R-4 Single Family Residence District. The subject property consists of approximately 0.65 of an acre, located on the north side of Davis Avenue approximately 1,100 feet east of Kostner Avenue in Rich Township, County Board District #6. **Recommendation: That the application be granted.**

Conditions: None

Objectors: None

302628 BUSINESS LICENSE ORDINANCE (PROPOSED ORDINANCE). Submitting a Proposed Ordinance sponsored by Peter N. Silvestri and Bridget Gainer, County Commissioners.

The following is a synopsis of the Proposed Ordinance:

PROPOSED ORDINANCE

BUSINESS LICENSE ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 32 Fees, Sec. 32-1 of the Cook County Code is hereby amended as follows:

Sec. 32-1. Fee schedule.

The fees or charges provided for or required by the below listed sections shall be as shown below:

Code Section	Description	Fees, Rates, Charges (in dollars)
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CHAPTER 54, LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS

54-385	Business License Fee	25.00
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BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners that Chapter 54 Licenses, Permits and Miscellaneous Business Regulations, Article X, Section 54-380 through Section 54-391 of the Cook County Code are hereby enacted as follows:

ARTICLE X. BUSINESS LICENSES

- Sec. 54-380. Short title.**
- Sec. 54-381. Purpose**
- Sec. 54-382. License required.**
- Sec. 54-383. Definitions.**
- Sec. 54-384. License-Application.**
- Sec. 54-385. License fee.**
- Sec. 54-386. License issuance.**
- Sec. 54-387. License insignia and display.**
- Sec. 54-388. License issuance, suspension, rescission, revocation.**
- Sec. 54-389. License suspension or revocation – premises allowing illegal activities deemed a public nuisance.**
- Sec. 54-390. Rule making and enforcement.**
- Sec. 54-391. Penalties.**
- Sec. 54-392. Effective date.**

***Referred to the Committee on Zoning and Building September 16, 2009.**

SUBSTITUTE ORDINANCE

Sponsored by

THE HONORABLE PETER SILVESTRI & BRIDGET GAINER, COUNTY COMMISSIONERS

GENERAL BUSINESS LICENSE ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 32 Fees, Sec. 32-1

Of the Cook County Code is hereby amended as follows:

Sec. 32-1, Fee Schedule

Code Section	Description	Fees, Rates, Charges (in dollars)
CHAPTER 54, LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS		
54-385	Business License Fee	40.00

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners that Chapter 54, Licenses, Permits and Miscellaneous Business Regulations, Article X, Sec 54-380 through Sec. 54-393 of the Cook Code is hereby enacted as follows:

ARTICLE X. GENERAL BUSINESS LICENSES

Sec. 54-380. Short title.

This Article shall be known and may be cited as the Cook County General Business License Ordinance.

Sec. 54-381. Purpose

The Cook County Board of Commissioners determines that in order to effectively protect the public health, general welfare, and safety of its citizens it has deemed it necessary to establish a General Business License for Unincorporated Cook County.

Sec. 54-382. Definitions

The following words, terms, and phrases, when used in this Article shall have the following meanings ascribed to them in this Article, except where the context clearly indicates a different meaning:

Business License means any license required by County ordinance or regulation which is required as a prerequisite to doing business in Cook County other than a General Business License.

Cook County or County means the County of Cook, Illinois.

County Board means the County Board of Commissioners of Cook County, Illinois

Department of Administrative Hearings means the county department authorized to adjudicate business license violations pursuant to provisions of this Article.

Department or Department of Revenue means the Department of Revenue in the Bureau of Finance of Cook County

Director means the Director of the Department of Revenue

Doing business means the extent to which any person who within any unincorporated area of Cook County, for the purposes of this Ordinance, fulfills one or more of the following criteria: (a) maintains a fixed place of business within an unincorporated area of Cook County, or (b) owns or leases real property within an unincorporated area of Cook County for business purposes, or (c) regularly maintains a stock of tangible personal property in an unincorporated area of Cook County for sale in the ordinary course of business.

Person means any natural person, trust, court appointed representative, syndicate, association, partnership, firm, club, company, corporation, business trust, institution, agency, government corporation, municipal corporation, district or other political subdivision, contractor, supplier, vendor, vendee, operator, user or owner or any officers, agents, employees, or other representatives, acting either for himself or for any other person in any capacity or any other entity recognized by law as the subject of rights and duties; the masculine, feminine, singular, or plural, is included in any circumstances.

Sheriff means the Sheriff of Cook County, Illinois or his designee.

Sec. 54-383. License required.

(a) It shall be unlawful for any Person doing business in any unincorporated area of Cook County to conduct such business without having first obtained a General Business License unless exempt as indicated in Sec. 54-392.

Section 54-384. License application

All applications for a General Business License shall be made in writing and under oath to the Director of Revenue on a form provided for that purpose.

(a) Every application for a County General Business License shall be submitted and signed by the Person doing business or authorized representative of the Person doing business and shall contain the following:

- (1) Name of the applicant
- (2) Business address
- (3) Social security numbers, Tax ID number, and residence addresses of its sole proprietor or the three individuals who own the highest percentage interests in such Person and any other individual who owns 5 percent or more interest therein.
- (4) Pin number of the property or properties where the business is being operated.
- (5) A brief description of the business operations plan.
- (6) Sales tax allocation code. The sales tax allocation code identifies a specific sales tax geographic area and is used by the State of Illinois for sales tax allocation purposes.
- (7) Certification that applicant is in compliance with all applicable County Ordinances.

(b) The Director of Revenue shall be the custodian of all applications for licenses which under provisions of this Code. All information received by the Department from applications filed pursuant to this Ordinance or from any investigations conducted pursuant to this Ordinance, except for official County purposes, or as required by the Freedom of Information Act, shall be confidential.

(c) The General Business License applicant may be subject to an inspection by the following county departments including but not limited to: Health, Building & Zoning and the Environment, prior to licensing.

(d) It shall be grounds for denial and/or revocation of any license issued under the provisions of this Article whenever the license applicant knowingly includes false or incomplete information in the license application or is in violation of a County Ordinance.

Sec. 54-385. License fee.

The fee for a County General Business License shall be as set out in Sec. 32-1, payable to the Department of Revenue, and all fees collected under this section will be used by the Department for the implementation and administration of this ordinance.

Sec. 54-386. Late Fee

License fee payments remitted after the due date on which the fee is due, shall be subject to a Late Fee equal to the amount of the License fee.

Sec. 54 387 License issuance

Upon approval of the application, a General Business License shall be issued by the Director for a period of two years.

Sec. 54-388 License insignia and display

It shall be the duty of every Person issued a General Business License to display such license in a conspicuous place at the premises where the business is conducted. The Director of Revenue shall promulgate additional rules and regulations in regards to the license insignia including but not limited to design, distribution, and display of aforementioned insignia.

Sec. 54-389 Doing Business without a license, failure to pay for or renew a license, prohibited.

Any Person doing business in unincorporated Cook County for which a license is required and fails to secure a license, provide payment for a license or fails to renew a license may be closed by the Director of Revenue, pursuant to Section 54-391 of this Article until such license is procured.

Sec 54-390 Failure to comply-Code of Ordinances

(a) Failure to comply with applicable Cook County Code of Ordinances may result in general business license suspension or revocation.

(b) Persons doing business in unincorporated Cook County must comply with this Article and, including but not limited to, the following Cook County Code of Ordinances:

- (1) Chapter 30, Environment;
- (2) Chapter 38, Article III, Public Health and Private Nuisances;
- (3) Chapter 58: Article III, Offenses involving Public Safety, and Article IV, Offenses Involving Public Morals;
- (4) The Cook County Building Ordinance, adopted originally on March 11, 1949, as amended and/or the Cook County Building Code;
- (5) Chapter 74 Taxation; or
- (6) The Cook County Zoning Ordinance, as amended.

Sec 54-391 License denial, non-renewal, suspension, & revocation

(a) Any County department or agency issuing citations pursuant to applicable Cook County Code of Ordinances shall have the authority to issue to the applicant or licensee a notice of violation recommending denial, non-renewal, suspension, or revocation of an applicant's or licensee's General Business License.

- (1) After issuing a notice of violation recommending denial, non-renewal, suspension or closure to the licensee or applicant, a copy of this notice of violation, with the date and time of the Department of Revenue Hearing indicated on it, along with copies of the documents supporting the above recommendation shall be forwarded to the Department of Revenue.
- (2) The Director of Revenue or his designee shall have the authority to deny, renew, suspend, or revoke a General Business License issued under the provisions of this Article after affording the licensee or applicant a hearing and determining the applicant or licensee violated any Federal or State statute or any provision of the Cook County Code of Ordinances.
- (3) However, no General Business License shall be denied issuance or renewal, suspended, or revoked prior to affording the applicant or licensee notice and a hearing, where the Director of Revenue or his designee shall make a determination based on the evidence provided by both the applicant or licensee and the Department issuing the citation.

(4) If the Director of Revenue or his designee determines that the license shall be denied, not -renewed, suspended, or revoked, he shall prepare, and issue by registered mail, a written notice of determination to applicant or licensee and forward copies to the Department that issued the citation and the Department of Administrative Hearings.

(5) If the applicant or licensee disagrees with the determination issued by the Director of Revenue or his designee, he may appeal the determination at an administrative hearing to be conducted by the Cook County Department of Administrative Hearings in accordance with their procedures (Cook County Code of Ordinances, Article IX. Sec. 2-901 et. seq.)

(6) If the Department of Administrative Hearings determines the license shall be denied, not renewed, suspended or revoked the Department of Administrative Hearings shall prepare and issue, by registered mail, a written determination informing the applicant or licensee that within 30 days of receipt of that registered letter, the Sheriff will be notified, pursuant to Section 54-393 of this Article, to close the business.

(7) If the applicant or licensee disagrees with the determination of the Cook County Department of Administrative Hearings then he has 35 days to provide written notice to the Department of Administrative indicating an appeal has been filed with the Circuit Court pursuant to Sec. 2-917 of this Code.

(b) The license of any person who has failed to pay any fine, assessment of costs or other sum of money owed to the County pursuant to an order of the Department of Revenue, an order of the Department of Administrative Hearings or a court order, by the due date indicated in the order, or within 30 calendar days of becoming a debt due and owing may be suspended by the Department of Revenue, in accordance with its rules and after affording a hearing. The license shall be suspended until such time that the fine, assessment of costs or other sum of money has been fully paid.

(c) A Person whose license has been denied renewal, suspended or revoked may seek re-issuance or reinstatement of the license in accordance with procedures prescribed by Department of Revenue

Sec 54-392 License not required

(a) A General Business License shall not be required in unincorporated Cook County if the Person doing business in Cook County is (1) required to obtain a County business license pursuant to any other County ordinance or regulation, (2) exempt by any Federal or State law or County ordinance or (3) licensed by the Illinois Department of Professional Regulation and owns, or operates a business pursuant to his/her professional license.

(b) The following is the list of professions, licensed by the Illinois Department of Professional Regulation for which, pursuant to this article, a Cook County General Business License is not required.

- (1) Accountant Public Continuing Education Sponsor
- (2) Accountant Public Firm, License
- (3) Accountant Public, Licensed
- (4) Accountant Public, Registered Certified
- (5) Acupuncture Continuing Education Sponsor, Approved
- (6) Acupuncture Guest Instructor
- (7) Acupuncturist, Licensed
- (8) Advanced Practice Nurse Controlled Substance
- (9) Advanced Practice Nurse
- (10) Advanced Practice Nurse, Continuing Education Sponsor
- (11) Alarm Contractor Agency Branch Office, Licensed
- (12) Alarm Contractor Agency Private, Licensed
- (13) Alarm Contractor Private, Licensed
- (14) Appraiser, Associate Real Estate
- (15) Appraiser, Certified General Real Estate
- (16) Appraiser, Certified Residential Real Estate
- (17) Appraiser, Education Provider
- (18) Appraiser, Temporary Practice Real Estate
- (19) Architect, Licensed
- (20) Architect, Landscape, Registered

- (21) Armed Proprietary Security Force
- (22) Associate Marriage and Family Therapist
- (23) Athletic Trainer, Licensed
- (24) Athletics
- (25) Auction Continuing Education School
- (26) Auction Firm
- (27) Auction, Internet Listing Service
- (28) Auctioneer
- (29) Auctioneer, Associate
- (30) Auctioneer, Exempt
- (31) Auctioneer, Exempt Associate
- (32) Audiologist, Licensed
- (33) Barber School, Licensed
- (34) Barber Teacher, Licensed
- (35) Barber, Licensed
- (36) Basic Classroom Training Course
- (37) Chiropractic Physician, Licensed
- (38) Chiropractic Preceptor
- (39) Chiropractic Preceptor Program
- (40) Chiropractor Professor, Visiting
- (41) Collection Agency Branch Office, Licensed
- (42) Collection Agency, Licensed
- (43) Controlled Substance Drug Dist, Licensed
- (44) Controlled Substance
- (45) Controlled Substance, Pharmacy, Licensed
- (46) Cosmetologist School Public, Licensed
- (47) Cosmetologist Teacher, Licensed
- (48) Cosmetologist, Licensed
- (49) Cosmetology Clinic teacher
- (50) Cosmetology Registered Salon/shop
- (51) Cosmetology School, Licensed
- (52) Cosmetology Continuing Education Sponsor
- (53) Counselor Clinical Professional Temporary, Licensed
- (54) Counselor Clinical Professional, Licensed
- (55) Counselor Professional Continuing Education Sponsor
- (56) Counselor Professional, Licensed
- (57) Counselor Professional, Temporary, Licensed
- (58) Dental Hygienist, Registered
- (59) Dental Sedation Permit
- (60) Dental Teaching License
- (61) Dental Temporary Training, Licensed
- (62) Dental/Dental Hygienist Continuing Education Sponsor
- (63) Dentist, Licensed
- (64) Dentist Controlled Substance, Licensed
- (65) Dentistry Specialist, Licensed
- (66) Design Firm Professional Registration
- (67) Detection of Deception Examiner,
- (68) Detection of Deception Trainee
- (69) Detective Private Agency Branch Office, Licensed
- (70) Detective Private Agency, Licensed
- (71) Detective Private, Licensed
- (72) Dietitian, Licensed
- (73) Drug Distributor, Licensed
- (74) Electrologist, Licensed_
- (75) Engineer Intern
- (76) Engineer Professional, Licensed
- (77) Engineer Structural, Licensed
- (78) Engineer Structural, Intern
- (79) Environmental Health Practitioner in Training
- (80) Environmental Health Continuing Education Sponsor
- (81) Environmental Health Practitioner, Licensed
- (82) Esthetician School, Licensed
- (83) Esthetician Teacher, Licensed
- (84) Esthetician, Licensed
- (85) Esthetics Clinic teacher
- (85) Euthanasia Agency, Certified
- (87) Euthanasia Technician, Certified

- (88) Firearm Control Card
- (89) Firearm Training Course
- (90) Funeral Director, Licensed
- (91) Funeral Director and Embalmer, Licensed
- (92) Funeral Director and Embalmer Intern, Licensed
- (93) Genetic Counselor, Licensed
- (94) Genetic Counselor, Temporary
- (95) Geologist, Professional Licensed
- (96) Home Inspector
- (97) Home Inspector Education Provider
- (98) Home Inspector Entity
- (99) Home Medical Equipment & Service Provider
- (100) Interior Designer, Registered
- (101) Interior Designer, Registered Residential
- (102) Land Sales Developer
- (103) Land Sales Subdivision
- (104) Land Surveyor in Training
- (105) Land Surveyor, Professional, Licensed
- (106) Locksmith Agency Branch Office, Licensed
- (107) Locksmith Agency, Licensed
- (108) Locksmith, Licensed
- (109) Mail Order Ophthalmic Provider
- (110) Marriage and Family Therapist, Licensed
- (111) Marriage and Family Therapy Continuing Education Sponsor
- (112) Massage Therapist Continuing Education Sponsor
- (113) Massage Therapist, Licensed
- (114) Medical Continuing Education Sponsor
- (115) Medical License, Temporary
- (116) Medical Temporary License, Limited
- (117) Medical Corporation Registered
- (118) Nail Tech Clinic Teacher
- (119) Nail Technician School, Licensed
- (120) Nail Technician, Licensed
- (121) Nail Technology Teacher, Licensed
- (122) Naprapath Continuing Education Sponsor
- (123) Naprapath, Licensed
- (124) Nurse Practical, Licensed
- (125) Nurse Registered, Professional
- (126) Nursing Home Administrator Temporary, Licensed
- (127) Nursing Home Administrator, Licensed
- (128) Nursing Home Approved Administrator Continuing Education Sponsor
- (129) Nutrition Counselor, Licensed
- (130) Nutrition/Dietitian Continuing Education Sponsor
- (131) Occupational Therapist
- (132) Occupational Therapy Assistant, Certified
- (133) Occupational Therapy Continuing Education Sponsor
- (134) Optometric Limited Residency License
- (135) Optometrist Ancillary Office, Licensed
- (136) Optometrist, Licensed
- (137) Optometrist Controlled Substance License
- (138) Optometry Continuing Education Sponsor, Licensed
- (139) Original Firearms Training
- (140) Orthotist, Licensed
- (141) Osteopath, Licensed
- (142) Osteopath/Obstetrician, Licensed
- (143) Podiatrist, Licensed
- (144) PERC - Permanent Employee Registration Card
- (145) Perfusionist
- (146) Pharmacist Assistant
- (147) Pharmacist Registered
- (148) Pharmacy Division VI, Licensed
- (149) Pharmacy Division I, Licensed
- (150) Pharmacy Division II, Licensed
- (151) Pharmacy Division III, Licensed
- (152) Pharmacy Division IV, Licensed
- (153) Pharmacy Division V, Licensed
- (154) Pharmacy Technician

- (155) Physical Therapist Assistant, Licensed
- (156) Physical Therapist, Licensed
- (157) Physical Therapy, Continuing Education Sponsor
- (158) Physician Assistant Temporary
- (159) Physician Assistant, Licensed
- (160) Physician Permit, Visiting
- (161) Physician Professor, Visiting
- (162) Physician Resident Visiting
- (163) Physician, Licensed
- (164) Physician Assistant. Controlled Substance, Licensed
- (165) Physician Controlled Substance, Licensed
- (166) Podiatric Physician, Licensed
- (167) Podiatric Physician, Temporary
- (168) Podiatric Professor, Visiting
- (169) Podiatry Continuing Education Sponsor
- (170) Podiatry Controlled Substance, Licensed
- (171) Private Security Contractor, Licensed
- (172) Prosthetist, Licensed
- (173) Psychological Corporation, Licensed
- (174) Psychological Partnership, Licensed
- (175) Psychologist Clinical
- (176) Qualifying Party Roofing Contractor
- (177) Real Estate Branch Office
- (178) Real Estate Broker
- (179) Real Estate Broker Corporation
- (180) Real Estate Broker Partnership
- (181) Real Estate Continuing Education Instructor
- (182) Real Estate Continuing Education School
- (183) Real Estate Leasing Agent
- (184) Real Estate Limited Liability Firm
- (185) Real Estate Pre-License Instructor
- (186) Real Estate Pre-License School
- (187) Real Estate Pre-License School Branch
- (188) Real Estate Salesperson
- (189) Respiratory Care Practitioner
- (190) Respiratory Care Practitioner Continuing Education Sponsor
- (191) Roofing Contractor, Licensed
- (192) Security Contractor Agency Branch Office, Licensed
- (193) Security Contractor Agency, Licensed
- (194) Service Corporation, Professional Registered
- (195) Shorthand Reporter Approved Continuing Education Sponsor
- (196) Shorthand Reporter Certified
- (197) Shorthand Reporter Restricted
- (198) Social Worker Clinical, Licensed
- (199) Social Worker Registered Continuing Education Sponsor
- (200) Social Worker, Licensed
- (201) Social Worker, Temporary Licensed
- (202) Speech Language Pathologist
- (203) Speech-Language Pathologist, Assistant
- (204) Speech-Language Pathology Temporary
- (205) Speech/Audiology Continuing Education Sponsor
- (206) Surgical Assistant
- (207) Surgical Technologist
- (208) Timeshare Acquisition Agent
- (209) Timeshare Component Site
- (210) Timeshare Developer
- (211) Timeshare Exchange Company
- (212) Timeshare Managing Entity
- (213) Timeshare Plan
- (214) Timeshare Sales Agent
- (215) Trainer Continuing Education Sponsor, Licensed
- (216) Veterinarian, Licensed
- (217) Veterinarian Controlled Substance, Licensed
- (218) Veterinary Continuing Education Programs
- (219) Veterinary Technician, Licensed

Sec 54-393 Rule making and enforcement.

The Department shall prescribe reasonable rules, definitions, and regulations necessary to carry out the duties imposed upon it by this Ordinance. Such rules, definitions, and regulations shall include, but not limited to, reasonable procedures consistent with existing practices of Persons doing business in Cook County. The Sheriff of Cook County is authorized to, and shall assist the Department, in enforcement of this Ordinance.

Sec 54-394 Penalties

Any Person determined to have violated this Ordinance (1) may be denied any County contract, permit, license and or privilege and/or (2) shall be subject to a fine of \$1,000.00 for the first offense, and a fine of \$2,000.00 for the second and each subsequent offense and/or be subject to suspension, revocation. A separate and distinct offense shall be regarded as committed each day upon which said Person shall continue any such violation, or permit any such violation to exist after notification thereof.

Sec 54-395 Effective date.

This Ordinance takes effect May 1, 2010

* The next regularly scheduled meeting is presently set for Wednesday, December 2, 2009.